

1 RICK A YARNALL
2 Chapter 13 Bankruptcy Trustee
3 Amanda Hunt, Esq.
4 Nevada Bar No. 12644
5 701 Bridger Ave., Ste 820
6 Las Vegas, NV 89101
7 (702) 853-4500
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9
10 UNITED STATES BANKRUPTCY COURT
11 DISTRICT OF NEVADA

12 In re:
13 ILIA CHAROV

14 BK-S-15-13297-MKN
15 Chapter 13

16 Debtor.

17 Hearing Date: August 27, 2015
18 Hearing Time: 2:00 p.m.

19 **TRUSTEE'S MOTION TO DISMISS CASE PURSUANT TO 11 U.S.C. § 1307(c)(3)**

20 COMES NOW Chapter 13 Bankruptcy Trustee, RICK A. YARNALL, by and through his
21 counsel of record, Amanda Hunt, Esq., and hereby moves this Honorable Court for an Order
22 dismissing the instant case for failure to timely file a plan pursuant to 11 U.S.C § 1307(c)(3).

23 Pursuant to 11 U.S.C. § 1321 and Fed. R. Bankr. Proc. 3015(b), chapter 13 debtors are
24 required to file a plan within 14 days of filing their petition, unless the court orders otherwise.
25 Section 1307(c)(3) states that a case may be dismissed or converted for failure to timely file a plan,
26 whichever is in the best interest of the creditors.

27 Debtor filed the instant case on June 5, 2015. See Docket No. 1. To date, Debtor has not
28 filed a plan and the 14 day deadline expired on June 19, 2015. Therefore, Trustee requests the
29 Court to dismiss this instant case.

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1 WHEREFORE, the Trustee respectfully requests that this Honorable Court issue an Order
2 dismissing the instant case for failure to file a plan pursuant to § 1307(c)(3).
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DATED this 20th day of July 2014.

4 Submitted by:
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6 Amanda Hunt, Esq.
7 Nevada Bar No. 12644
8 701 Bridger Ave., Suite 820
9 Las Vegas, NV 89101
10 Attorney for RICK A. YARNALL,
11 Chapter 13 Bankruptcy Trustee
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5 RICK A YARNALL
6 Chapter 13 Bankruptcy Trustee
Amanda Stetson, Esq.
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E-Filed: _____

10 UNITED STATES BANKRUPTCY COURT
11 DISTRICT OF NEVADA

12 In re:

13 ILIA CHAROV

14 Debtor.

BK-S-15-13297-MKN
Chapter 13

[PROPOSED]
**ORDER ON TRUSTEE'S MOTION TO
DISMISS CASE PURSUANT TO 11 U.S.C. §
1307(c)(3)**

15 Hearing Date: August 27, 2015
16 Hearing Time: 2:00 p.m.

17 Trustee's Motion to Dismiss Case Pursuant to 11 U.S.C. § 1307(c)(3) having come on for
18 hearing in the above-entitled Court on August 27, 2015, at 2:00 p.m., with counsel appearing on
19 behalf of Chapter 13 Bankruptcy Trustee, RICK A. YARNALL, other appearances as noted on
20 record, argument having been heard, and based upon the papers and pleadings on file herein, and
21 good cause appearing:

22 ///

23 ///

1 IT IS HEREBY ORDERED that Trustee's Motion is GRANTED and the above captioned
2 bankruptcy proceeding is DISMISSED pursuant to 11 U.S.C. § 1307(c)(3);

3 IT IS SO ORDERED.

4 Submitted by:

5 _____
6 Amanda Hunt, Esq.
7 Attorney for Rick A. Yarnall,
8 Chapter 13 Bankruptcy Trustee

9 Date: _____
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In accordance with LR 9021, counsel submitting this document certifies that the order accurately reflects the court's ruling and that (check one):

The court has waived the requirement set forth in LR 9021(b)(1).

No party appeared at the hearing or filed an objection to the motion.

I have delivered a copy of this proposed order to all counsel who appeared at the hearing, and any unrepresented parties who appeared at the hearing, and each has approved or disapproved the order, or failed to respond , as indicated below [list each party and whether the party has approved, disapproved, or failed to respond to the document]:

I certify that this is a case under Chapter 7 or 13, that I have served a copy of this order with the motion pursuant to LR 9014(g), and that no party has objected to the form or content of the order.

Date: _____

**An Employee of Rick A. Yarnall
Chapter 13 Bankruptcy Trustee**

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1 **CERTIFICATE OF MAILING**

2 I hereby certify that I am an employee of RICK A. YARNALL, Chapter 13 Trustee; that I am
3 over the age of 18 years; and that on the 22nd day of July, 2015, I provided a copy of
4 the **Trustee's Motion to Dismiss Case Pursuant to 11 U.S.C. § 1307(c)(3) and Notice of Hearing**
5 to each of the following by:

6 [X] a. **ECF System:**

7 Michael W. Chen bknotice@mccarthyholthus.com,

8 mchen@mccarthyholthus.com

9 Dana Jonathon Nitz dnitz@wrightlegal.net, ebaker@wrightlegal.net;

10 jcraig@wrightlegal.net; blopipero@wrightlegal.net

11 Rick A. Yarnall ecfmail@LasVegas13.com, ecfimport@lasvegas13.com

12 Juda Zakalik jz@pandalawfirm.com

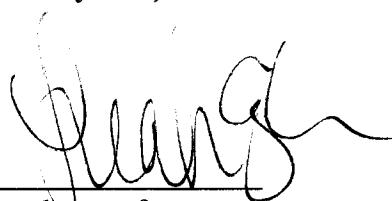
13 [X] b. **United States mail, postage fully prepaid:**

14 Ilia Charov
15 1708 Cordoba Ln
16 Las Vegas, NV 89108

17 [] c. **Personal Service**

18 [] d. **By direct email (as opposed to through the ECF System)**

19 [] e. **By fax transmission**

20 
/s/ Leah Engel

21 Leah Engel, an Employee of
22 RICK A. YARNALL
23 CHAPTER 13 BANKRUPTCY TRUSTEE